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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 FELIX COMACHO,
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Petitioner,
v.
ROBERT HERNANDEZ, Warden,
Respondent.

Civil No. 08cv0016-BEN (LSP)

**ORDER DENYING APPLICATION TO
PROCEED IN FORMA PAUPERIS**

Petitioner is a state prisoner proceeding pro se with a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. On January 25, 2008, the Court denied Petitioner's application to proceed in forma pauperis without prejudice because it appeared Petitioner had sufficient funds in his prison trust account to pay the \$5.00 filing fee. Petitioner has now paid the filing fee, and has filed a new application to proceed in forma pauperis. Because Petitioner has paid the filing fee, the Court **DENIES** the renewed application to proceed in forma pauperis as moot.

IT IS SO ORDERED.

DATED: February 25, 2008


Hon. Roger T. Benitez
United States District Judge